Department of Justice

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CITY OF LOS ANGELES ADMITS LIABILITY IN THOUSANDS OF SEWER SPILL INCIDENTS SINCE 1994

LOS ANGELES – The Department of Justice, the Environmental Protection Agency and the Los Angeles Regional Water Quality Control Board today announced that the City of Los Angeles has admitted liability for more than 3,600 sewer spills dating back to 1994.

The city's admission of these federal Clean Water Act violations is part of an ongoing lawsuit in U.S. District Court in Los Angeles. This suit was originally filed by Santa Monica Baykeeper. The EPA and the LARWQCB joined the lawsuit in January 2001. A number of local community groups joined in the summer of 2001.

With this lawsuit, the EPA, the LARWQCB and its co-plaintiffs are seeking a firm commitment from the city to reduce sewage spills and repair and improve its system. The city's sewer system includes 6,500 miles of pipes and dozens of pump stations that collect and send both household and industrial wastewater to four sewage treatment plants.

The city is now liable for a total of 3,670 spills that occurred between 1994 and July 31, 2002. On Dec. 23, U.S. District Court Judge Ronald Lew found the city liable for 297 sewage spills that occurred between July 1, 2001 and July 31, 2002. With liability for all of these spills established, the parties can now focus on resolving issues relating to corrective measures and penalties.

The city's penalty obligations will be determined when the case goes to trial in January 2004. The maximum Clean Water Act penalty that can be applied is $25,000 per spill prior to Feb. 1, 1997 and $27,5000 per spill thereafter.

"We are pleased with the progress in resolving this case, as the beneficiary will be the community," said Wayne Nastri, the EPA's regional administrator for the Pacific Southwest. "The city now needs to commit to a comprehensive compliance plan that will ensure everything possible is done to prevent future spills."

LARWQCB Chairperson Susan Cloke said, "This is a good day for Angelenos. So many in our city, especially in our minority communities, have had to live with the public health risks and noxious odors that came with each one of these 3,895 sanitary sewer overflows. It is my hope that the court's action will help in the speedy resolution of this problem to protect our residents, our water quality and our beaches."

The EPA's lawsuit against Los Angeles is only one of several the agency and the Justice Department have pursued recently. The list of localities the EPA and the Justice Department have taken to court for sewage spills include Atlanta, Miami, New Orleans, Baltimore, Jefferson County (Birmingham), Ala. and Mobile, Ala.

Unfortunately, Los Angeles and neighboring beach communities throughout Southern California experience some of the country's highest rates of beach health advisories and closures due to sewage spills and contaminated storm water runoff. Los Angeles has about 50 spills per month. At 10 spills per 100 miles of sewer per year, the Los Angeles sewage spill rate is more than double the median spill rate for Southern California municipalities.

The city is spending about $700 million for repairs and upgrades to improve the system's wet weather capacity problems, but needs to do more to control blockage spills, which represent more than 90 percent of the spills, and sewer odors.

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